

REMARKS

Claims 1-20 are pending in this Application. Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested.

Drawings Objections

The drawings have been objected to under 37 CFR §1.83(a). In particular, the Office Action asserts that “a microphone . . . must be shown or the feature(s) canceled from the claim(s)” (Office Action of 4/2/08, page 2). However, paragraph [0028] explicitly discusses and FIG. 2 of the specification shows “an acoustic transducer 108, such as a microphone”. Since the acoustic transducer 108, such as a microphone, is already shown, the objection is not well founded and should be withdrawn.

The Office Action asserts that “a wireless transmitter that wirelessly transmits an audio signal from the microphone mixed with a pilot tone . . . must be shown or the feature(s) canceled from the claim(s)” (Office Action of 4/2/08, page 2). However, paragraphs [0030] and [0051] and FIGs. 3A-B and 7 clearly show a wireless transmitter 310, 316, 712 that wirelessly transmits an audio signal from a microphone mixed with a pilot tone. Since the wireless transmitter is clearly shown, the objection is not well founded and should be withdrawn.

The Office Action asserts that “a CPU that digitally encodes the pilot tone with a repeating frame of data containing a plurality of status indicators of the wireless microphone provided by the CPU, said plurality of status indicators disposed within respective predetermined

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locations of the repeating frame . . . must be shown or the feature(s) canceled from the claim(s)” (Office Action of 4/2/08, page 2). However, paragraphs [0051-2] and [0054-5] discuss and FIG. 7 clearly shows a CPU 706 that digitally encodes the pilot tone with a frame of data containing a plurality of status indicators of the wireless microphone provided by the CPU, said plurality of status indicators disposed within respective predetermined locations of the frame. Since the CPU is shown, the objection is not well founded and should be withdrawn.

Rejections under 35 U.S.C. §112

Claim 1 has been rejected under 35 U.S.C. §112, second paragraph. In particular, the Office Action asserts that the term “repeating frame” is not clearly supported. In response, the term has been deleted.

Rejections under 35 U.S.C. §103

Claims 1-5 and 7-12 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Pat. No. 6,954,538 to Shiraishi in view of U.S. Pat. No. 6,879,806 to Shorty. Applicant respectfully traverses these rejections.

In response, independent claim 1 has been further limited to “transmitting a tone burst coded with a frame of data from the transmitter to the receiver and storing said frame of data therein, said frame of data containing two or more characteristics regarding said transmitter disposed within respective predetermined locations of the repeating frame.” Support for transmitting the code burst coded with the frame of data is provided in paragraph [0055] of the

specification.

Claims 1-5 and 7-12 are now clearly differentiated over Shiraishi and Shorty. It may be noted first in this regard that Shiraishi operates exactly the opposite as that of the claimed invention. For example, claim 1 is limited to “detecting an audio signal via an acoustic transducer located within the transmitter; transmitting data from the transmitter to the receiver . . . said data including the detected audio signal; transmitting a tone burst coded with a frame of data from the transmitter to the receiver . . . said frame of data containing two or more characteristics regarding said transmitter disposed within respective predetermined locations of the repeating frame.” If the Shiraishi remote control 300 is the transmitter, then the Shiraishi remote control 300 does not transmit “data from the transmitter to the receiver . . . said frame of data containing two or more characteristics regarding said transmitter.” This is necessarily the case because the Shiraishi remote control 300 transmits analysis results (characteristics) regarding the receiver 100, not the remote control 300.

Moreover, Shorty also fails to meet this claim limitation. For example, Shorty merely transfers frames of instructions. Nowhere within Shorty is there any frame of data “said frame of data containing two or more characteristics regarding said transmitter.”

Moreover, neither Shiraishi or Shorty provide any teaching or suggestion of “a tone burst coded with a frame of data from the transmitter to the receiver . . . said frame of data containing two or more characteristics regarding said transmitter.” For any of the above reasons, the combination of Shiraishi and Shorty do not teach or suggest each and every claim limitation.

Since the combination does not teach or suggest each and every claim limitation, the rejections are improper and should be withdrawn.

Claims 17-20 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Pat. 6,400,935 to Williams in view of Shorty. Applicants respectfully traverse these rejections.

It may be noted first, in this regard, that the Office Action asserts that “Williams teaches . . . a CPU (52 reads on microprocessor) that digitally encodes the pilot tone with a repeating frame of data containing a plurality of status indicators of the wireless microphone provided by the CPU (see fig. 2 and col. 7 line 33 – col. 8 line 67)” (Office Action of 4/2/08, paragraph bridging pages 8-9). However, it may be noted that the Office Action is clearly in error with regard to this statement because Williams does not teach of a digitally encoded pilot tone. Instead, Williams explicitly teaches that “data signals are transmitted and received in the audio band” (Williams, col. 10, lines 61-62). Moreover, “The pilot tone is a pure tone having a frequency of 6.5 kHz” (Williams, col. 8, lines 31-32). Under Williams, the pilot tone is used simply to mute and unmute the audio channel. As such, Williams does not teach that which the Office Action says that it does.

Moreover, Shorty merely transfers frames of instructions. Nowhere within Shorty is there any frame of data “said frame of data containing two or more characteristics regarding said transmitter.”

Claim 17 is limited to “a CPU that digitally encodes the pilot tone with a frame of data containing a plurality of status indicators of the wireless microphone provided by the CPU, said plurality of status indicators disposed within respective predetermined locations of the frame.”

Claim 19 is limited to the context where the “CPU provides coded information about the handheld wireless microphone or body pack and the modulator modulates the changed audio signal by mixing the changed audio signal with a pilot tone burst and where the CPU digitally modules the pilot tone with the coded information to provide a data frame where the coded information occupies respective predetermined locations within the frame for wireless transmission through the output antenna.” Neither Williams or Shorty provides any teaching or suggestion of a pilot tone burst encoded with status indicators or information about the handheld wireless microphone or body pack.

For any of the above reasons, the combination of Williams and Shorty do not teach or suggest each and every claim limitation. Since the combination does not teach or suggest each and every claim limitation, the rejections are improper and should be withdrawn.

Claim 6 stands rejected under 35 U.S.C. §103(a) as being obvious over Shiraishi in view of Shorty and U.S. Pat. Appl. No. US 2003/0190924 to Agashe. Applicants respectfully traverse these rejections.

It may be noted in this regard that claim 6 is dependent upon claim 1 and includes all of the limitations of claim 1. As such, claim 6 is limited to “detecting an audio signal via an acoustic transducer located within the transmitter; transmitting data from the transmitter to the receiver . . . said data including the detected audio signal; transmitting a tone burst coded with a frame of data from the transmitter to the receiver . . . said frame of data containing two or more characteristics regarding said transmitter disposed within respective predetermined locations of the repeating frame.”

Moreover, Agashe (as with Shiraisi and Shorty) also fails to teach or suggest this claim limitation. As such, the combination of Shiraisi, Shorty and Agashe do not teach or suggest each and every claim limitation. Since the combination does not teach or suggest each and every claim limitation, the rejections are improper and should be withdrawn.

Claim 13 and 14 stand rejected under 35 U.S.C. §103(a) as being obvious over Shiraishi in view of Shorty and U.S. Pat. No. 6,288,641 to Casais. Applicants respectfully traverse these rejections.

It may be noted in this regard that claim 6 is dependent upon claim 1 and includes all of the limitations of claim 1. As such claim 6 is limited to “detecting an audio signal via an acoustic transducer located within the transmitter; transmitting data from the transmitter to the receiver . . . said data including the detected audio signal; transmitting a tone burst coded with a frame of data from the transmitter to the receiver . . . said frame of data containing two or more characteristics regarding said transmitter disposed within respective predetermined locations of the repeating frame.”

Moreover, Casais (as with Shiraisi and Shorty) also fails to teach or suggest this claim limitation. As such, the combination of Shiraisi, Shorty and Casais do not teach or suggest each and every claim limitation. Since the combination does not teach or suggest each and every claim limitation, the rejections are improper and should be withdrawn.

Claim 15 and 16 stand rejected under 35 U.S.C. §103(a) as being obvious over Shiraishi in view of Shorty and U.S. Pat. No. 6,337,913 to Chang. Applicants respectfully traverse these rejections.

It may be noted in this regard that claims 15 and 16 are dependent upon claim 1 and includes all of the limitations of claim 1. As such claims 15 and 16 is limited to “detecting an audio signal via an acoustic transducer located within the transmitter; transmitting data from the transmitter to the receiver . . . said data including the detected audio signal; transmitting a tone burst coded with a frame of data from the transmitter to the receiver . . . said frame of data containing two or more characteristics regarding said transmitter disposed within respective predetermined locations of the repeating frame.”

Moreover, Chang (as with Shiraisi and Shorty) also fails to teach or suggest this claim limitation. As such, the combination of Shiraisi, Shorty and Chang do not teach or suggest each and every claim limitation. Since the combination does not teach or suggest each and every claim limitation, the rejections are improper and should be withdrawn.

Closing Remarks

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Primary Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Primary Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be

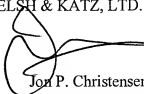
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enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,

WELSH & KATZ, LTD.

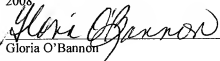
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June 20, 2008

I hereby certify that this paper(s) is being transmitted via electronic mail to the Commissioner for Patents; P.O. Box 1450, Alexandria, VA 22313-0001 on June 20, 2008.


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